IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.763 OF 2001

The State of Maharashtra. ..Appellant.

V/s.

Dattatraya C. Gaikwad & Anr. ..Respondents.

Mr.Y.S.Shinde, APP for State.

Mr.Thokade, advocate for respondents.

CORAM: A.M.KHANWILKAR,J

DATE : NOVEMBER 22, 2005.

P.C. :

1. Heard counsel for the parties. Perused the evidence. I see no merit in this appeal. The view taken by the lower court is a possible view. The evidence of prosecution witnesses have been discarded for good reasons recorded by the lower court and I am in agreement with those reasons. The prosecution witnesses have made improvement by alleging the facts which have not been substantiated. Accordingly, there is no reason to depart from the findings and conclusion reached by the lower court. Hence, rejected.